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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,

CASE NO. CR03-103TSZ

9
10 Plaintiff,

11 v.

SUMMARY REPORT OF U.S.
MAGISTRATE JUDGE
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 DION EARL JOHNSON,

13 Defendant.
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16 INTRODUCTION

17 I conducted a hearing on alleged violations of supervised release in this case on April
18 13, 2007. The United States was represented by Tate London. The defendant was
19 represented by Christopher Black. The proceedings were recorded on disk.
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21 CONVICTION AND SENTENCE

22 Defendant had been convicted of Bank Fraud on or about September 5, 2003. The
23 Hon. Thomas S. Zilly of this court sentenced Defendant to 24 (twenty-four) months of
24 confinement, followed by 5 (five) years of supervised release, revoked February 22, 2005
25 sentencing Defendant to 4 (four) months imprisonment followed by 56 (fifty-six) months
26 of supervised release.

27 The conditions of supervised release included requirements that defendant comply

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1 with the standard 13 conditions.

2 DEFENDANT'S ADMISSION

3 USPO Monique D. Neal alleged that Defendant violated the conditions of supervised
4 release in 7 (seven) respects:

- 5 (1) Using cocaine, on or before September 13, 2005, in violation of standard
6 condition #7;
- 7 (2) Using phencyclidine (PCP), on or before October 14 and October 24, 2005,
8 in violation of standard condition #7;
- 9 (3) Committing the crime of Assault, on or about October 22, 2005, in violation
10 of the general condition that the defendant not commit another federal, state,
11 or local crime;
- 12 (4) Committing the crime of obstructing a law enforcement officer, on or about
13 October 9, 2005, in violation of the general condition that the defendant not
14 commit another federal, state, or local crime;
- 15 (5) Possessing ecstasy, phencyclidine (PCP), and marijuana, on or about October
16 9, 2005, in violation of standard condition #7;
- 17 (6) Failing to report for drug testing as directed by the U.S. Probation Office on
18 October 17, November 3, and November 7, 2005, in violation of the special
19 condition that the defendant participate in a program approved by the
20 probation officer for treatment of narcotic addiction or drug or alcohol
21 dependency, which may include testing and examination to determine if the
22 defendant has reverted to the use of drugs or alcohol; and
- 23 (7) Using phencyclidine (PCP), on or before October 26, 2005, in violation of
24 standard condition #7.

25 I advised the defendant of these charges and of his constitutional rights. At today's hearing
26 Defendant admitted the violations # 2, 3, 6, and 7, waived any hearing as to whether they
27 occurred, and the Government has agreed to dismiss violations # 1, 4, and 5. The parties

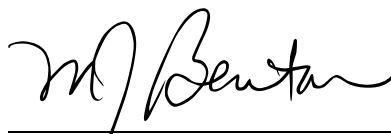
1 consented to having the matter set for a disposition hearing before the Hon. Thomas S.
2 Zilly.

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4 RECOMMENDED FINDINGS AND CONCLUSIONS

5 Based upon the foregoing, I recommend the court find that Defendant has violated the
6 conditions of his supervised release as alleged and set the matter for a disposition hearing.

7 Defendant has been detained pending a final determination by the court.

8 DATED this 13th day of April, 2007.

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12 Monica J. Benton
13 U.S. Magistrate Judge
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16 cc: Sentencing Judge : Hon. Thomas S. Zilly
17 Assistant U.S. Attorney : Tate London
18 Defense Attorney : Christopher Black
19 U. S. Probation Officer : Monique Neal
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